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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED
OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER		
ARNO114646		
U.S. APPLICATION NO. (if known see 37 C.F.R. 1.5)		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE 14 May 1998 (14.05.98)	PRIORITY DATE CLAIMED 14 May 1997 (14.05.97)
TITLE OF INVENTION		
PLANT GENE CONSTRUCTS AND THEIR USE		
APPLICANT(S) FOR DO/EO/US		
SMEEKENS, Sjef; WEISBEEK, Peter; and PROVENIERS, Marcel		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information by Express Mail:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.

2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.

3. This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).

4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.

5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))

a. is transmitted herewith (required only if not transmitted by the International Bureau).

b. has been transmitted by the International Bureau.

c. is not required, as the application was filed in the United States Receiving Office (RO/US).

LAW OFFICES OF
CHRISTENSEN O'CONNOR
JOHNSON & KINDNESS^{PLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
(206) 682-8100

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- 6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
- 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
- 8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- 10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

- 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included..
- 13a. A FIRST preliminary amendment.
- 13b. A SECOND or SUBSEQUENT preliminary amendment.
- 14. A substitute specification.
- 15. A change of power of attorney and/or address letter.
- 16. Other items or information:
 - a. Copy of Request (PCT/RO/101).
 - b. Copy of International Preliminary Examination Report (PCT/IPEA/409), with annex of amended claim sheet pages 36 and 37 (claims 1-17).
 - c. Copy of International Search Report (PCT/ISA/210).
 - d. Copy of Notification of the Recording of a Change (PCT/IB/306).

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X	17. The following fees are submitted:	CALCULATIONS PTO USE ONLY	
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BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5):

Search Report has been prepared by the EPO or JPO	\$840
International preliminary examination fee paid to USPTO (37 CFR 1.482) ..	\$670
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))	\$760
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$970
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....	\$96

ENTER APPROPRIATE BASIC FEE AMOUNT =	\$970	
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Surcharge of \$130 for furnishing the oath or declaration later than <u>20</u> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$--	
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CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	17 - 20 =	0	X \$18	\$--
Independent claims	7 - 3 =	4	X \$78	\$312

MULTIPLE DEPENDENT CLAIMS(S) (if applicable)	+ \$260	\$260	
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TOTAL OF ABOVE CALCULATIONS =	\$1,542	
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Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).	\$--	
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SUBTOTAL =	\$1,542	
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Processing fee of \$130 for furnishing the English translation later than <u>20</u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +	\$--	
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TOTAL NATIONAL FEE =	\$1,542	
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Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +	\$--	
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TOTAL FEES ENCLOSED =	\$1,542	
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	Amount to be: refunded	\$
	charged	\$

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17a. Check No. 110899 in the amount of \$1,542 to cover the above fees is enclosed.

17b. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Dennis K. Shelton
CHRISTENSEN O'CONNOR JOHNSON & KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, WA 98101

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON & KINDNESS^{PLLC}


Dennis K. Shelton
Registration No. 26,997
Direct Dial (206) 695-1718

EXPRESS MAIL CERTIFICATE

"Express Mail" mailing label number EM589592654US

Date of Deposit November 9, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Khadafari, Lee

(Typed or printed name of person mailing paper or fee)

Khadafari, Lee

(Signature of person mailing paper or fee)

DKS/cj

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